

Board of Commissioners
February 14, 2011 -- 8:30 a.m.

Meeting called to order by President Gogel. Parties present are as follows: Gogel, Logsdon, Toler, Board Attorney Lindsey, Auditor, Chuck Painter, and Tara Lloyd.

Minutes

1/04/2011 minutes, Logsdon made a motion to approve. Toler seconded. All were in favor.

Highway Report

Highway Superintendent Painter stated today Kirby Youngblood is starting on bridge work on county road 300E. The work that it will entail is an addition or rehab and the widening of the original bridge that is there now. Will start hauling rock on Friday, this should start helping some of our county roads. Gogel asked Painter about the equipment building project. He stated he has the insurance paperwork signed off on and if weather permits the building will start the second week of March. Logsdon attended the County Wide Community Grant meeting the other night and asked if anyone had spoken to Painter concerning the location of the counties new building in conjunction with the new 300' tower that is being considered to be erected. Painter stated someone was out there looking around but had not approached him as of yet. However, the new building will be at least 500 feet from the new tower, he concluded. The two companies being considered for this project are Tower Innovations out of Newburgh Indiana and Electronic Research. Also, Logsdon communicated to Painter that Meadors from Carter Fire Department might come in with a communications engineer, Eric Wandel, to do a feasibility study on the height of current tower or its coverage without going up an additional 100 feet. This would allow the commissioners the information needed to make a decision as to whether we should or should not buy a taller tower. Painter stated WTH can do some big maps for the county for \$50 each. Lloyd stated it will have new highway on it. Logsdon stated lets get one for the County Garage. Then, we will see what they look like and go from there. Lloyd stated you could have as little or as much as you want on these maps. These would be working maps that you would be able to write on. Logsdon requested, can WTH Color code the 4 lane roads, paved roads, Cedit roads, Chip and seal roads, and gravel roads for better viewing. Lloyd stated she could do that part. Logsdon asked if she could copy a map for each commissioner. She stated she would do the work then WTH would upload this information then anyone on the computer could print out. Painter acknowledged Jim Seger from Mariah Hill was attending the meeting as an observer. Jim had nothing to comment on.

Engineer Report

Huffman Mill

Lloyd invited the commissioners to join Joni Copeland from DLZ and herself for lunch. Joni is coming down to her office this Friday at 11 a.m. to submit a quote on the Huffman Mill Project. Logsdon made mention that DLZ did invite the commissioners to a presentation program on Tuesday from 11 a.m. to 2 p.m. at the Purdue Road School and that a reply needed to be sent back if you were to be attending.

INDOT

Lloyd reported there was some confusion with INDOT concerning the responsibility of the old Hwy 231. Painter had previously checked with Calvin Evans. INDOT stated that these roads are the counties now because INDOT had opened up that part of Hwy 231. Lloyd wasn't convinced this was correct so she checked the contract between the state and the county. It revealed that "Nothing is turned over to the county until the project is completed and until the state has resurfaced all of old Hwy 231 which should be sometime in June of 2011. Logsdon requested Lloyd to contact Goodwin at INDOT, if in fact we did have two fatalities at the intersection of Old Hwy 231 and the new 231, to see if we can get a Solar Powered Caution sign in the median or on the south and north bound right-of-ways. Toler made a motion to adjourn this Commissioner meeting. Logsdon seconded. All were in favor. The meeting adjourned at 8:55 a.m. Toler made a motion to restart Commissioners meeting at 9:08 a.m. Logsdon seconded it. All were in favor. Gogel brought the Commissioners meeting back to order.

Legal Report

Lindsey stated at the last meeting Scott Meadors provided a copy of the transaction log to the board in regards to the FCC changes in our Towers. After careful investigation of those changes Lindsey spoke to Ed Hagedorn and he assured him that changes that Yoder of Harmonic Electronics had made were very important. In 2013 the band that is available to us now will be cut in half from 25 kHz to 12.5 kHz so we will have to make these changes. A good

resource is www.fcc.gov/pshs/public-safety-spectrum/narrowbanding.html. But these adjustments that were made to the permits in regard to our towers were to get them accurate. Adjustments consisted of changing the height and the location ...and the address to the E911 addressing system and the frequency and so forth. Logsdon asked Lindsey to check into the fact that if we have to increase our tower in Chrisney from 200 feet to 300 feet, is there additional FAA permits that will need to be approved and if so will it be able to be completed in a timely manner for this grant. Lindsey stated Meadors at last meeting stated that it is faster to increase the height than to relocate the tower. Logsdon added and no environmental impact study would have to be done but Logsdon wanted to assure that permits were handled correctly.

Lindsey stated we will have an Executive Session on Friday, February 18, 2011 at 9:30 a.m. cst in the downstairs basement of the Dale library it will take about two hours. Legal notice will be issued out to the Council, Commissioner, Redevelopment committee, Assessor, and the Auditor.

Lloyd stated the Perry County council approved their portion of the Huffman Mill grant and asked Lindsey about the Inter local agreement. Lindsey stated he would get it together.

Zoning ordinance Amendment (Mark Hagedorn)

Hagedorn was not present. Commissioners approved the Ordinance # 2011-01.

Plan commissions were all in favor. Toler made a motion to approve. Logsdon seconded. All were in favor. Logsdon asked that Tom Utter formally thank Hagedorn for settling in our county.

Theresa Cail was asked about zoning requests and she stated it is very slow.

John & Cindy Limp were not present.

Old Business

Auditor asked for approval of 02/02/2011 notification prepared for the commissioners to advise the council of Vendor #19645 - Southwest Indiana Regional Youth Claims totaling \$18,257.47. This amount was in regard to the housing of the Juveniles. Also the payroll claims were reviewed and approved by the commissioners. Software License agreement for the clerks office for the Microvote Election Management System was also reviewed and executed by the commissioners at this time. Gogel asked McDurmon if he would review the lease agreement from Johnson Control to make sure everything is in line. McDurmon was given a copy. It must be signed & returned to them by April 1st, 2011. No big complaints at this time. Logsdon gave McDurmon Mark Heirbrandt # 317-590-3460 to contact. He was the Ameresco engineer at the beginning of that project when it was designed and installed. He is available 24/7 so call him anytime. McDurmon will contact him. Information was given to commissioners so they would have county owned sites in case they would need to relocate towers for the county wide communication grant. Memo from engineer from Vectren Notification # 11585156214 was given to the county commissioners in their packets. These notifications are also given to the County engineer and she stated to commissioners everything is fine with this notification. This is just a FYI for the commissioners only. Logsdon asked Gogel about the certified copy of additional appropriations forms that was in their packets. Gogel stated this is surplus funds remaining in each fund. Logsdon focused on the E911 land line and the 911 wireless funds. Discussion at length was made concerning continual reduction of these revenues in these accounts. It is a pending disaster in the state. Skype is what Logsdon uses so he is not paying for any of this. We are probably paying approximately 50% out of our county general. Richard Murdock asked Logsdon to ask David Bottorff, head of our AIC to send out a questionnaire to all 92 counties. This information will be shared with all legislators. This information includes: (1) What drop in revenue each county has experienced from LAN line and wireless fees over the last two years (2009 & 2010) , and (2) what the projected loss in revenue will be for 2011. Gogel set recess until 9:45 a.m.

Community Wide Grant

Scott Meadors from Carter Fire District stated he met with the Fire Chiefs concerning this grant. Logsdon attended that meeting. Meadors felt everything went pretty well. Meadors has met with 2 tower companies at this time and He stated he did not have figures with him in order to ask for funds at this time. There has arisen a problem at this time that he felt he needed to address with the Commissioners. Carter Fire Department has to know what is going on with the equipment at all times. Equipment is owned by the Carter Fire Department. With this we are leery because different vendors are coming in working on other vendor's equipment at the dispatch. Warranties can be voided under these types of circumstances. With these radios the warranty is for three years. He requested the commissioners let Carter Fire Department take care of the radios for the county. Right now there are several

individuals handling this for the county. It would be done under county control and the county can set up all the guidelines. They feel one person should be responsible. Carter can put the stuff up on the towers and take care of all other equipment and forget about dispatch. If something happens and FEMA comes in Carter does not want to be "black balled" for future grants. Logsdon asked Meadors concern. Spell it out. Meadors stated because the county owns the equipment it should be the counties concern as to what vendors are doing to the equipment to void the warranty. He went on to say FEMA would say you should know what is going on. Letter from Charlie McIntire dated 2/8/11 was read by Logsdon concerning various vendors he uses and himself are in full agreement that they cannot continue to guarantee the equipment if other vendors are repairing the equipment. Logsdon stated at information gathering meeting was the only time Logsdon had ever met McIntire. Logsdon asked Gogel since we have people here from dispatch and their supervisor's can we clear this up. Logsdon asked McDurmon is there any truth that this is going on. If so, then why? McDurmon stated we had the meeting stating the 5 items that were not working correctly. Advance Communications came over and could not correct the issues. So they contracted Zetron, and told them that Harmonic thought they could correct it. A letter from Zetron stating they would continue the warranty was submitted to the Commissioners. McDurmon stated they were not voiding any warranty. Voiding of a warranty to our county liability insurance provider was a very big concern. If warranties are voided there would be no liability insurance at all. Chris Middleton our counties liability insurance provider must be kept aware of all matters concerning this. Toler asked if Advance Communications had been notified. They had not. Discussion continued between dispatch and commissioners. Dispatch felt loyalty to a vendor was big. Logsdon requested proof that no warranties were being voided by other vendors at dispatch. ICOM and EF Johnson are other vendors that are involved at dispatch. Logsdon stated "We don't have Harmonic back in that building if it will void that warranty." Dispatch stated ICOM and EF Johnson both are working on supplying them proof and will provide that to the commissioners upon receipt. Lindsey stated the system hasn't work right since before the lightning strike that is why he held up the last check to Advance Communications until he knew the system was right. Then, the system inspected. Logsdon asked ...If Harmonic Electronics would have put in the same equipment system would it have worked? (Silence) Again he asked. There was no answer Logsdon then replied probably not...because your saying it's an equipment problem and if we had an upgrade of \$3,200 and 3 microphones that the system would work. We didn't put in the \$3,200 because of low bid and the insurance told the commissioners where to stay. Gogel stated the other equipment wasn't part of the package...all I'm saying is the equipment that we got is what was on the bid specs. Meadors stated Harmonic Electronics is the vendor that made out the equipment list that everyone went off of. Logsdon continued he had received calls from councilmen wanting to know why commissioners were running the risk of voiding warranties. Cost was questioned. Dispatcher Katie Richards responded that it has not been told to them that there are (or aren't) at this point, any additional money that will be charged by Harmonic Electronics to the county. Lindsey confirmed this statement. Meadors stated if it can't be decided within reasonable certainty that this can be worked out we will let this grant go, and let you work it out with the tax payers as to where you are going to come up with the approximately \$ 600,000 to upgrade the systems when the time comes. Logsdon asked do we need to get this in writing that whoever gets the bid that we will not have this problem going forward. Meadors stated it is a must. A taxpayer in the room that had just been listening stated can't the Sheriff Department, Fire Department, and everybody sit down and discuss this and come up with a mutual agreement because as a county taxpayer, and my kids and grandkids I don't want that burden placed on them if we can get a grant. Lindsey stated he did not care who installed or maintained the equipment he just wants it right and dispatch is telling him it is not. Meadors was concerned if a catastrophic event occurred and pagers could not be transmitted with fatalities then finger pointing could occur because the equipment had been maintained by two different vendors. After a lengthy discussion it was decided Carter Fire Department, Sheriff Department and other communication committeemen would work this out themselves at tomorrow night meeting. Toler made a motion to adjourn. Gogel seconded. All were in favor.

Board of Commissioners,

President
Attest:

Donna J. Lynam, Auditor
